

DETAILED ACTION

Notice of Amendment

1. In response to the amendment filed on 01/12/2009, amended claim(s) 1 is/are acknowledged. The current rejections of the claim(s) 1 is/are *withdrawn*. The following is/are set forth:

Allowable Subject Matter

2. Claim 1 is allowed.
3. The following is a statement of reasons for the indication of allowable subject matter: the prior art does not disclose, teach, and/or fairly suggest a non contact tonometer comprising *inter alia* an alignment light source, an optical projection system, an image capture means for sensing an alignment image, a cornea deformation means via pressurized air, an intraocular pressure measurement light source, an intraocular pressure measurement light receiving means, and a CPU configured to determine reliability of measurement of an output signal from the intraocular pressure measurement light receiving means and to execute both an error and a warning processing based on the reliability of the output compared to a predetermined reference value.

Response to Arguments

4. Applicant's arguments, see pages 5-8, filed 01/12/2009, with respect to the allowability of the claims have been fully considered and are persuasive. The rejections of the claims have been withdrawn.

EXAMINER'S AMENDMENT

5. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Ana Zhadina on 05/07/09.

The application has been amended as follows:

Claims 5-8 (Cancelled).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey G. Hoekstra whose telephone number is (571)272-7232. The examiner can normally be reached on Monday through Friday 8am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Max Hindenburg can be reached on (571)272-4726. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3736

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/Jeffrey G Hoekstra/
Examiner, Art Unit 3736

/Max Hindenburg/
Supervisory Patent Examiner, Art Unit 3736